IRACO ELECTIONS

ROAD TO DEMOCRACY



2005



A sample ballot is displayed in Baghdad's International Airport before general elections. The Iraqi people have voted. Despite very real danger and threats, millions demonstrated their deep interest in deciding their own destiny and their fervent hope in Iraq's future. Despite inexperience, intimidation, and an ongoing violent insurgency, these were, without a doubt, the most free and transparent elections in Iraq's long history.

Multinational Forces in Iraq and the U.S. Embassy in Baghdad energetically supported the Iraqis, as did much of the international community, and we are proud of these efforts. While American diplomats and soldiers worked together with Iraqis to assist in making this electoral process a success, this is ultimately and uniquely a triumph of the Iraqi people – of Iraqi policemen and soldiers, of election workers, of political activists and journalists, of the interim government, and of the millions of voters voting for the first time in an election where their opinions and cherished dreams counted for something. This was an Iraqi victory, after many decades of bitter suffering, in which the entire world should rejoice and whose outcome all should respect.

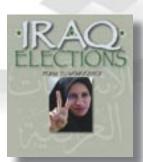
This election is not the end of the Iraqi democratic process but the beginning. Iraq's new leaders, chosen by the people, will now commence the nuts and bolts work of daily political life anywhere in the world: compromise, trade-offs, coalition-building, heated arguments, and long-winded debate. Iraqi political leaders will reach out to political opponents as they



wrestle to fashion a new constitution, which must be supple enough to incorporate modern democratic values and also respect the hallowed and humane cultural and religious traditions of the Iraqi people. It must be a constitutional process which has the whole-hearted participation and consultation of all of Iraqis communities. Once the drafting of a new constitution is completed, the Iraqi people will have the opportunity to ratify their new national charter in a referendum.

If the Iraqi people approve the new constitution, the next step will be new national elections in December – still another opportunity for all voices to be heard. This is an ambitious political agenda for 2005 but one that has the strong support of the international community and of the Iraqi people. In order for Iraq's political future to be secure, these milestones must be accompanied by the patient and steady rebuilding of Iraqi civil society – the fragile and essential framework that will nourish Iraqi democracy and strengthen the unity of the people of Iraq. Political dissent and minority views will have to be respected if political pluralism is to take root in this fertile soil. Here again, the Iraqi people have blazed the trail by their perseverance and sacrifice in reconstructing their own country – media, universities, nongovernmental and charitable organizations, local government – over the past two challenging years.

For the United States, our path in Iraq is equally clear: support the continuing development of Iraqi institutions – armed forces, police, civil society, courts, businesses. Help the Iraqi people come to their own decisions about their own future and to find Iraqi solutions to Iraqi problems. Watch as this people of the Land Between the Two Rivers reclaim their greatness and take their rightful place as a respected member of the world community.



(FROMT COVER)

AS SHE LEAVES A POLLING STATION,
AN IRAQI WOMAN HOLDS UP HER
HAND, SHOWING THE
INDELIBLE PURPLE INK THAT
INDICATES SHE HAS
VOTED IN IRAQ'S GENERAL
ELECTION.
(BACK COVER)
AN IRAQI MAN AT A POLLING
STATION STUDIES HIS
BALLOT BEFORE VOTING.

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A worker puts up an election poster in Baghdad, December 2004, encouraging people to vote. IRAQIS BY THE MILLIONS TURN OUT TO VOTE FOR THE TRANSITIONAL NATIONAL ASSEMBLY THAT WILL DRAFT A NEW CONSTITUTION FOR THEIR COUNTRY.

Report on the Elections

Iraqis turn out to vote on January 30, 2005

On January 30, millions of Iraqis defied threats of violence and terrorist attacks to cast their ballots in the country's first open, multiparty democratic elections in more than half a century.

A Turkish press agency quoted 80-year-old Mahdeya Saleh from Najaf saying, "I had often been forced to vote under Saddam Hussein. Today I come out of my own will to choose freely the candidate of my choice for the first and last time in my life."

Insurgents published messages on websites, distributed leaflets and painted graffiti on the walls threatening to turn the elections into a bloodbath and hunt down and kill anyone who dared to vote, but millions of Iraqi citizens refused to be intimidated.

"Why should I be afraid?" Arifa Abed Mohamed told a *Christian Science Monitor* reporter at a Baghdad polling station. "I am afraid only from God."

Many other Iraqis expressed a similar disregard for the insurgents' threats. "I would have crawled here if I had to," Samir Hassan told a Reuters reporter. "I don't want terrorists to kill other Iraqis like they tried to kill me." Hassan lost his leg in a car bomb attack last



October.

Speaking about the unexpectedly high voter turnout, Hamid Majid, deputy speaker of the Iraqi National Assembly told Cairo Radio, "This means that Iraqis reject dictatorship, reject despotism, reject extremism and violence, and look forward to freedom, peace, democracy, and construction."

"I cannot describe what I am seeing," Baghdad Mayor Alaa al-Tamimi told Reuters. "It is incredible. This is a vote for the future, for the children, for the rule of law, for humanity, for love,"

Iraq's Deputy President Ibrahim Ja'fari agreed. Shortly after casting his ballot, he told reporters, "The Iraqi people showed that their voice is louder than the sound of bullets."

"The terrorists now know that they cannot win," Iraqi Interim Prime Minister Ayad Allawi affirmed.

For many voters, the election was not only an opportunity to cast a vote against the insurgents but also a chance to bring closure to the dark chapter of Saddam Hussein's rule.

A woman in Basra told an Iraqi television reporter, "My six children were executed by Saddam. I have come here today so that by voting I may honor the memory of my six children."

Baghdad resident Zahara Uboud Mansour told Voice of America that she was voting as a final farewell gesture to the tyrant Saddam Hussein.

Iraqi election officials said that it would be several days before they could provide an accurate indication of which parties and candidates emerged on top in the balloting, but Iraq's Minister of Human Rights Bakhtiaar Ameen affirmed, "These elections will not be like the last one, with a result of 99.9% for one person."

Allawi called for national unity as the results are tabulated and Iraq moves ahead with the next stages of building its democratic institutions. "We are

entering a new era of our history and all Iraqis - whether they voted or not - should stand side by side to build their future," he said. The 275-member Transitional National Assembly that emerges from the elections will be charged with drafting a permanent Iraqi constitution.

President Bush saluted the courage of the Iraqis who administered, protected and participated in the elections. "The Iraqi people, themselves, made this election a resounding success," he said.

"By participating in free elections, the Iraqi people have firmly rejected the anti-democratic ideology of the terrorists. They have refused to be intimidated by thugs and assassins. And they have demonstrated the kind of courage that is always the foundation of self-government," he added.

U.N. Secretary General Kofi Annan also paid tribute to the Iraqi people, the Independent Electoral Commission of Iraq the poll workers and the poll monitors for "having organized and carried out elections so effectively in such a limited timeframe and such daunting circumstances."

Annan thanked the U.N. team that provided technical support to the Iraqi Electoral Commission and said that the United Nations is prepared to continue

providing electoral assistance and advice in the constitutional process if needed.

The European Union's foreign policy chief Javier Solana affirmed the European commitment to support the Iraqis as well. "They are going to find the support of the European Union, no doubt about that, in order to see this process move on in the right direction," he told the Associated Press.



(Background Photo) A woman and a child sit next to a pro-election banner. ■ Iraqi women cast their votes at a polling station.

■ An Iraqi man prepares to vote in his country's first free election in half a century. ■ Iraqis inspect their ballots before voting. ■ After all car movements were prohibited on election day, thousands of Iraqis made the trip on foot to the polling stations. ■ An Iraqi man shows off his ink-stained finger after casting his ballot. ■ After dipping her finger in ink, an Iraqi woman smiles as she casts her ballot.









(Photo Inset) An Iraqi man at a polling station studying a ballot.

IRAQ: An Elections Primer

Who was elected on January 30, 2005?

Nationwide, the Iraqi people elected a 275-member Transitional National Assembly (TNA), members of the 18 provincial council, and members of the Kurdish regional government.

What are the responsibilities of the Transitional National Assembly?

The National Assembly will serve as Iraq's national legislative body until the election of a new government under a permanent constitution.

It will name a Presidency Council consisting of a President and two Vice Presidents. The Presidency Council will appoint a Prime Minister and, on his or her recommendation, cabinet ministers.

The new cabinet will be subject to a vote of confidence from the assembly before assuming their posts.

Together, these new government entities and officials will comprise the Iraqi Transitional Government, which will replace the current Iraqi Interim Government (IIG), and govern Iraq during the remainder of the transition process.

The National Assembly is charged with drafting Iraq's new constitution, which will be presented for approval to the

Iraqi people in a national referendum in October 2005.

Who was responsible for organizing the elections?

Exclusive jurisdiction for the oversight, organization, and conduct of the January 30 elections was vested in the Independent Electoral Commission of Iraq (IECI).

The IECI is the authority responsible for certifying political parties, associations, groups, and independent candidates as political entities that competed in the election. It is an autonomous organization, separate from the current interim government.

The IECI is the arbiter of electoral disputes and can impose penalties against political entities for election-related offences. By design, the commissioners have no political affiliation.

How did the Electoral Commission prepare for the elections?

The IECI held a nationally televised lottery December 20 to determine the order in which each of the party slates and independent candidates would be listed on the ballot. Each ballot entry included the party's symbol, the party's name and a number. This system was designed to help voters navigate the numerous entries on the ballot.

The IECI hired approximately 6,000 Iraqis to assist in voter registration and candidate registration. The voter roll was based on the existing food distribution list, and citizens had a six-week period in which to correct any mistakes on the roll at any one of the more than 500 registration sites located around the country.

The IECI hired and trained more than 100,000 Iraqis to work at the more than 5,000 polling centers on January 30, 2005.

The Iraqi Ministry of the Interior was responsible for security arrangements. All polling sites were staffed and secured only by Iraqi nationals.

What was the United Nation's role in Iraq's election?

The U.N. was not responsible for supervising the elections or determining key decisions. Instead, the UN advised and supported the IECI in its work to deliver fair and transparent elections.

The Secretary-General appointed a chief advisor, Carlos Valenzuela, to work with the IECI. Valenzuela also heads a multi-organization International Electoral Assistance Team.

The U.N., at the request of the IECI, was responsible for coordinating all

of nearly 14 million Iraqi citizens who received monthly food baskets under the Iraqi Public Distribution System.

The voter registration process consisted of validating, and correcting as appropriate, the existing voter registration list. Iraqis had until December 15 to complete this process. If an Iraqi's name appeared on the preliminary voter registration list and the individual took no action during the voter registration period, that person was able to vote in the January 30 election.

Procedures were in place for Iraqis to update their status or add their names to

for the January 30 election. Registration was from January 17 to 25 and polling from January 28 to 30 in 14 countries. These included: Ausralia, Canada, Denmark, France, Germany, Iran, Jordan, the Netherlands, Sweden, Syria, Turkey, the United Arab Emirates, the United Kingdom, and the United States.

The IECI estimates more than 265,000 Iraqis registered and voted abroad.

How did the election process work?

Elections for the Transitional National Assembly were conducted according to



Colorful posters for the upcoming elections are being prepared in a printing shop in Baghdad. They exhort Iraqis to vote to build a new Iraq

(PHOTO INSET)
An election official reads a voting pamphlet at a school in Basra.

international assistance to the electoral process.

The U.N. and its partners had electoral experts working inside Iraq and at locations outside of the country to support the preparations for elections.

Who could vote?

To be eligible to vote, voters must have: 1) been 18 by December 31, 2004; 2) had Iraqi citizenship or been eligible for it; and 3) been registered to vote.

A preliminary voter registration list existed, which contained the names

the voter registration list.

To reduce the possibility of fraud, the finger of each voter was stained with indelible ink to prevent people from voting more than once.

Were expatriates living outside Iraq able to vote?

The Independent Electoral Commission of Iraq authorized the International Organization for Migration to implement a limited Out-of-Country Voting Program

a closed list proportional representation system with the entire country considered as a single electoral district. The system elected representatives to fill 275 seats with the goal of having 25 percent female representation.

During November and early December, political entities (a single individual or a group of individuals) that wished to compete in the January election registered with and were certified by the IECI.

Officially certified political entities joined together to form coalitions. These

coalitions must have been registered with and certified by the IECI.

Each political group or party, along with each coalition of political groupings, submitted a list of candidates for consideration on the January 30 ballot. (A political entity that joined a coalition could not submit a separate list of candidates in the same election.)

Political organizations registered as a group of individuals and coalitions submitted lists that included 12 to 275 candidates.

Persons who registered as a single individual also submitted a list. Those lists could include a single individual's name or up to 12 individually certified candidates.

Political groups and coalitions determined the order of the candidates appearing on their candidate lists.

One goal of Iraq's Transitional Administrative Law — the law governing Iraq during the transition — is a Transitional National Assembly composed of at least 25 percent women. Therefore, every third person on a candidate list had to be a woman (except those lists submitted by individuals certified as political entities).

The official campaign period began on December 15 and ended on January 28, two days before Election Day, January 30.

On Election Day, each eligible Iraqi voter had cast one vote for one candidate list. Some lists had many candidates, some had few — or even, in the case of some individuals certified as political entities, only one candidate. (In the case of lists with multiple candidates, the voter only saw a symbol — not a full list of names.)

Who were some of the more prominent candidates or lists?

Parties from across the country registered lists. Some of the better known lists included the United National Alliance, the Kurdish Alliance, Prime Minister Allawi's

Iraqi National Accord, and President al-Yawar's Iraqis' Party List.

How were the winners determined?

The number of votes required to gain a seat in the Assembly (the "threshold") was determined by dividing the number of total valid votes cast by 275, the number of seats in the Assembly.

In other words, any candidate or party that received 1/275th of the vote will have a seat in the new assembly. So, for example, if 10 million valid votes were cast, a list would have to receive 36,363 votes to gain one seat.

This threshold is the minimum number of votes required for any political entity or coalition of political entities to gain a seat in the Assembly. The goal of this electoral system is to achieve a roughly proportional outcome. For example, if a list received 30 percent of the votes, it would win roughly 30 percent of the seats in the Assembly (assuming the list contained at least 30 candidates).

Seats are awarded to individuals on a list according to their ranking on that list. If a coalition list receives enough votes to seat 25 candidates in the Assembly, the first 25 candidates on the list will be seated.

Were there any observers for the election?

Domestic observers and political party/ entity pollwatchers formed the backbone of observation efforts. A Coalition of Independent and Non-partisan Election Monitors (CINEM) was established and organized and trained 12,400 observers, which provided coverage of polling stations throughout the country. Overall, more than 23,000 domestic observers from different NGOs were accredited throughout Iraq.

An international mission, known

as the International Mission for Iraqi Elections (IMIE), was formed to assess the overall election process. The IMIE's mandate extends past January to the Constitutional Referendum in October and the election to the Iraqi National Assembly in December 2005.

Domestic observers linked closely with IMIE and provided critical information from the field on polling day. Before the election the International Republican Institute (IRI), a U.S. NGO, had conducted polls on Iraqis attitudes about the election, and another NGO, the National Democratic Institute for International Affairs (NDI) had trained Iraqi election observers.

To provide another mechanism to provide transparency of the electoral process, political entities that were on the ballot accredited party/candidate electoral agents to monitor polling and counting. More than 34,000 party agents were accredited by the IECI.

What will happen after the election of the Transitional National Assembly?

The National Assembly has until August 15, 2005, to write a permanent constitution for the nation.

The Assembly will submit the draft constitution for approval by the Iraqi people in a general referendum that will be held no later October 15.

The general referendum will be successful and the draft constitution ratified if a majority of the voters in Iraq approve it, and if two-thirds of the voters in three or more governorates do not reject it.

If the constitution is approved, elections for a permanent government would be held no later than December 15, so that the new government could assume office by December 31, 2005.

If the constitution is rejected, the National Assembly would dissolve, and elections for a new National Assembly would take place by December 15.

There is a provision for the National Assembly, by majority vote, to extend the deadline for writing the draft constitution for six months.

What was the role of the United States in the election?

The United States had no direct responsibility or authority over any aspect of the election whatsoever. Iraq had exclusive jurisdiction through its Independent Electoral Commission of Iraq.

Nevertheless, the United States assisted the free, democratic process in Iraq through a variety of means, from the and a \$40 million grant to assist the Independent Electoral Commission. Other funding supported non-partisan work to support and strengthen political parties/entities, civil society, and domestic election monitors.

Did violence and low voter turnout compromise the legitimacy of the elections?

As the Iraqi people prepared for elections, the enemies of freedom knew exactly what was at stake: that a democratic Iraq will be a decisive blow to their ambitions — because free people will never choose to live in tyranny.

majority of all Iraqis, intended many to vote if they felt safe from violence. The Iraqi government, with U.S. and coalition support, made every effort to provide opportunities and sufficient safety for voters in Sunni areas as well as other parts of the country.

On the other hand, according to Michael Kozak, Acting Assistant Secretary for Democracy, Human Rights, and Labor, at the State Department, "If people decide to boycott an election — that's their choice. It's part of your democratic choice. You can decide not to go to the polls ... but then you have no one to blame but yourself."

It is also important to recognize that,



Polling station head explains ballot papers to Iraqi election officials at Az Zubayr, southern Iraq.

U.S. government to a host of private and voluntary nongovernmental organizations. On a non-partisan basis, Americans have sponsored exchange programs, trained election workers and observers, conducted voter education, and held workshops on the building of democracy and a civil society.

Specifically, the U.S. Agency for International Development and the State Department's Bureau of Democracy, Human Rights, and Labor have provided support through a consortium of three U.S. nongovernmental organizations,

Despite the violence, there was a significant turnout. Turnout alone does not determine an election's legitimacy, which should reflect the transparency and conduct of the overall electoral process, including the legislative framework, fairness of the rules, complaint adjudication, etc.

The U.S. military worked with coalition and Iraqi forces to boost security.

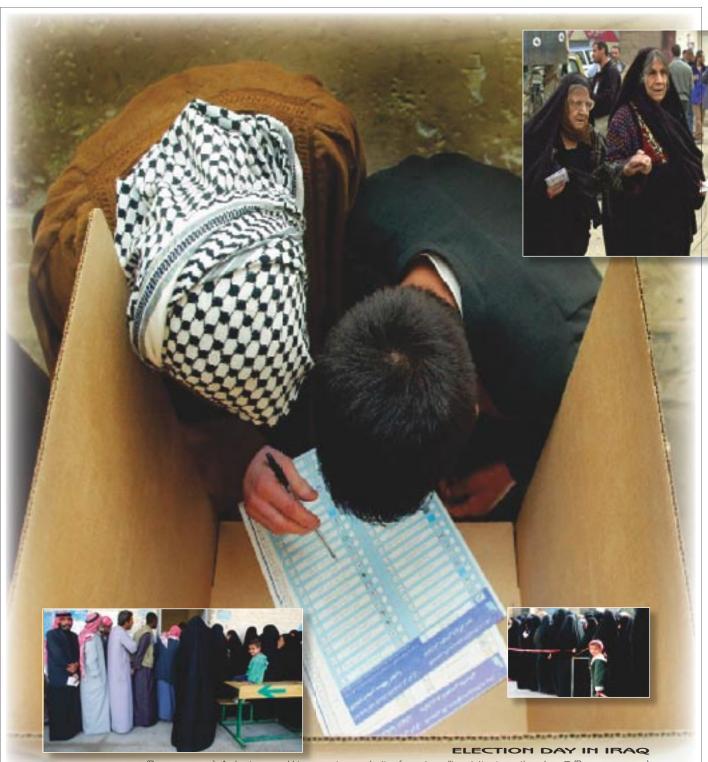
Did large numbers of Sunnis either boycott the elections or not vote out of fear or intimidation?

First, polls indicated that Sunnis, like the

even if Sunni voting was lower than their representation in the population, many of the political parties and voting lists have Sunni candidates on them.

Finally, the election for a National Assembly is only one step in a long process of democratic debate, negotiation, and elections.

The January 30 election is the first of a continuing series of opportunities for all individuals and groups in Iraq to organize, speak, vote, and make their influence felt in Iraq's emerging democracy.



(Васкаяющно рното) An Iraqi man and his son review an election form at a polling station in southern Iraq. ■ (Рнотоѕ цегт то вчант)
Men and women queuing to vote at a polling station as a small child watches. ■ An Iraqi girl looks out of the women's queue at a school polling station near
Basra, in southern Iraq. ■ (тор рното) Two elderly Iraqi women walk together on their way to a polling station in Baghdad.

Building Democracy in IRAQ

What will future generations — 30, 50, 100 years from now — single out as the overarching achievement of our time? Breakthroughs in technology, perhaps, or the transformations caused by globalization? The answer is unknowable, of course. But the most likely possibility is that future generations will point to the extraordinary advance of human freedom over the last half century as the most enduring accomplishment of our time.

As President Bush said in his second inaugural address: "There is only one force of history that can break the reign of hatred and resentment, and expose the pretensions of tyrants, and reward the hopes of the decent and tolerant, and that is the force of human freedom."

From the fall of the Berlin Wall in 1989 and the end of apartheid in South Africa a year later, to historic free elections in Afghanistan in 2004, the world has witnessed the expansion of human liberty and spread of democracy's founding principles: the free exchange of ideas, religious tolerance, rule of law, minority rights, and an open, civil



Armed guards watch as a man arrives to register at the Independent Election Commission of Iraq in Basra.

society with respect and understanding for all.

Freedom's advance has been neither steady nor certain — but its progress has been unmistakable. "Freedom, by its nature, must be chosen, and defended by its citizens," President Bush said. And when people anywhere in the world have been given — or have demanded — that choice, they always choose freedom.

A new chapter in the story of freedom has been written in Iraq, which held elections for a Transitional National Assembly on January 30. The TNA will appoint a Presidency Council (president and two vice presidents), which, in turn, will select a prime minister who will choose a government cabinet.

But the most important task of the National Assembly will be to draft a new constitution for Iraq that embodies the tenets of freedom and the institutions of democracy. The Iraqi people will have

IRAQ ELECTION TIMELINE

May 31, 2004 - Coalition Provision Authority (CPA) Order number 92 establishes the Independent electoral Commission of Iraq (IECI) as the exclusive electoral authority in Iraq.

June 28, 2004 - Sovereignty is transferred from the US-led coalition to the Interim Iraqi Government

<u>August 18, 2004</u> - Iraqi National Conference selects a national assembly to act as a parliament until elections are held.

October 12, 2004 - Elections regulations published by IECI.

<u>October 21, 2004</u> - Voter registration materials distributed.

<u>November 1, 2004</u> - Voter and candidate registration begins for the election of a transition government.

<u>Movember 4, 2004</u> - Determination is made to allow Iraqis abroad to vote in the elections.

<u>Movember 21, 2004</u> - Election date is set for January 30, 2005.

<u>December 1, 2004</u> - Recruitment of polling station staff begins.

<u>December 15, 2004</u> - Deadline for registering parties and individuals for the coming election. Validation of voter registration list. Election campaign starts.

<u>January 1, 2005</u> - Process of distributing ballots begins.

<u>January 23, 2005</u> - Last day for expatriates to register to vote.

<u>January 28, 2005</u> - Official campaign period ends.

<u>January 30, 2005</u> - Election Day. Last day for expatriates to vote.

August 15, 2005 - Date by which a constitution is to be drafted by the transition dovernment.

October 15, 2005 - Date by which a national vote is to be held regarding the ratification of the proposed constitution.

<u>December 15, 2005</u> - Date that elections for a permanent government take place if the constitution is ratified. If the constitution is not ratified, this is the date by which elections for a new national assembly are to be held.

alliances, and built coalitions for the election campaign.

The election for a Transitional National Assembly is only one step in a continuing process of erecting the institutions of democracy — of which regular, inclusive, free elections are an integral part. In the future, elections for local, regional, and national offices will not be extraordinary events fraught with danger for Iraqis, but a routine part of life in a free society.

By their votes on January 30, Iraqis chose representatives who will write a constitution and chart a future for their country. By their act of voting, the Iraqi people delivered a blow against fear, and proclaimed their faith in a future of freedom.

to the polls again to elect a new permanent national government.

Despite the violence and threats of self-proclaimed enemies of democracy, Iraqis of all ethnic and religious backgrounds have demonstrated enormous courage and commitment to these elections. The turnout was significant.

Another measure of Iraqi support for the 20 different national, provincial, and Kurdish regional elections was the number and diversity of candidates. A total of 18,900 candidates were registered, organized into 256 political entities — 196 parties, 33 coalitions of parties, and 27 individuals.

Violence and intimidation undoubtedly prevented some from voting; others, as is their right, may have chosen not to vote as a means of protest, or even out of indifference. But a flawed election can still be an election that reflects the will of the people. The election of a Transitional National Assembly on January 30 was an important milestone to peace, reconciliation, and the building of Iraq's emerging democracy.

Moreover, Iraqis had already demonstrated that they could peacefully compete for power in a democratic fashion as they negotiated, formed



IRAQ (top photo) Men and Women wait to enter a polling station in Basra, in southern Iraq ■ An Iraqi policeman delivering a ballot box from a polling station to a central collection point in Baghdad.

Interview with Elections Expert Laith Kubba

Laith Kubba is an Iraqi elections expert and the National Endowment for Democracy's Senior Program Officer for the Middle East and North Africa. He was interviewed by Washington File Staff Writer Alexandra Abboud.

Q: How active are U.S. and Iraqi Nongovernmental Organizations (NGOs) in supporting the Iraqi elections? What are their goals?

LAITH KUBBA: The two primary American NGOs in Iraq are the National Democratic Institute (NDI) and the International Republican Institute (IRI). These organizations are on the ground training newly established Iraqi political and civic groups. They have been working closely with political parties to help them build their political platforms and coalitions in preparation for the January 30 elections. These groups also conduct public opinion polls. IRI and NDI are probably the two most effective NGOs on the ground.

The biggest challenge facing Iraq is capacity building and transferring to Iraqis the culture of building institutions, taking initiatives and

solving problems. All of these concepts, ideas, tools and experiences are new to Iraq. The good news is that there are many skilled people from abroad who are helping Iraqis do a lot of activities in the civil and political arena. Also, these concepts have already evolved in other Arab countries so there is a great deal of literature and support from Arab organizations who are working with Iraqis to help them face the challenge of capacity building.

There are also hundreds, if not thousands, of independent groups, who have taken on the burden of capacity building. These groups started taking initiatives and forming new ideas and ways to build Iraqi society. The Iraqi Kurds also have a great deal of experience in this area, as they are maybe about 10 or 15 years ahead of the rest of Iraq in terms having their own institutions.

So I think from many angles and corners Iraqis are receiving the literature, the skills, and the know-how to build civil society.

Unfortunately the work that is being done is often over-burdened and over-shadowed by security concerns. Parts of Iraq are open and accessible to these NGOs such as the Kurdish area in the north and the Basra area in the south. There are, however, security concerns in places like Baghdad and in Mosul, the third-largest city. In these places, the NGOs are reaching people by relying heavily on Iraqi-trained staff and using technology such as teleconferencing and digital video conferencing and any other method to overcome security barriers.

So despite all the restrictions in the environment, these NGOs have managed to remain effective on the ground, relying both on Iraqis and on technology, and I think they are doing really a remarkable job.

Q: How eager are Iraqis to become active in citizen participation? Is there still a fear of participating?

MR. KUBBA: I think it's obvious that people want to participate. It's obvious that people want to take charge of their own country and there is a high percentage of people who express their willingness to participate in the election and voted despite all the risks. Aid and

support and help will go a long way despite security challenges and Iraqis are very eager to receive that aid.

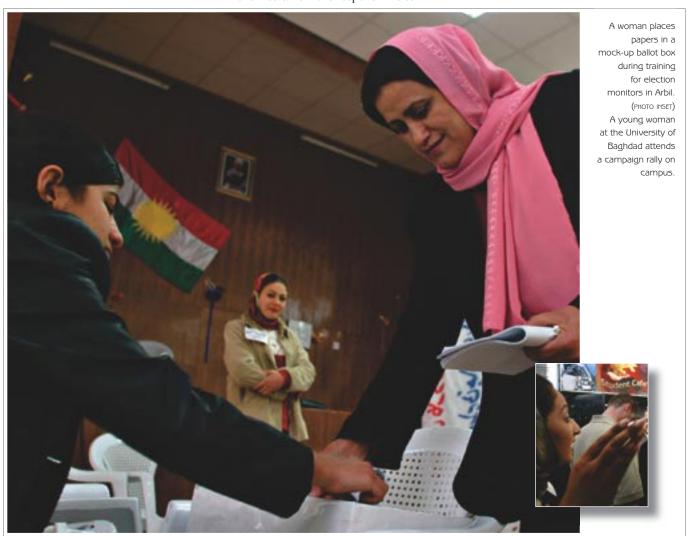
Q: Iraqi women and other minority groups have had little experience in the political process. Are these groups responding to the opportunity to participate in civil society?

MR. KUBBA: I think we must not forget that Iraqi women played a large role in Iraq's history. There were Iraqi women who served in local government even back in the 1950s. So the Iraqis take pride that they had educated women who attended universities and colleges and that there are many professional organizations where women are active.

The reality is, in Iraq's recent history, Iraqi women have been burdened by the collapse of the state and social structure. Women are burdened with layers of responsibility, including the primary role of maintaining a household. And although the avenues are open for them to take more responsibilities in

the public arena, I think they need a lot of support. I think Iraqi women are beginning to participate a great deal in the elections and I think 25 percent of the new Iraqi National Assembly will be women. The real challenge is to give them more support and improve their conditions.

As for other minority groups, my expectation is that the first thing the minorities will do in Iraq is to reassert their identities because they feel they



have been repressed by the state and they feel threatened of losing that identity to the identities of the larger community. But in terms of participation, I think they will participate and establish many social and cultural institutions. Initially their politics is going to be about self-assertion, but ultimately I think they will all participate in national politics.

Q We've talked about minority groups, but is there a single national Iraqi identity? How does the Kurdish minority in Iraq factor into this identity?

MR. KUBBA: I think by and large Iraq has formed a clear national identity over the years. With the exception of the Kurds, many of whom see Iraq as a binational state of Arabs and Kurds, I think other minorities have a much stronger Iraqi identity.

As a result of successive Iraqi governments repressing the Kurdish national identity and forcing it within either a broad Iraqi or an Arab identity, many Kurds now either want to assert a bi-national identity for Iraq or they want to have a clear separate Kurdish national identity.

I think if it weren't for those successive errors by previous Iraqi governments, the Kurds would have happily found a comfortable expression of their national identity within a broader Iraqi identity, not necessarily Arab but certainly an Iraqi identity. It will take a long way of confidence-building policies to bring back the Kurds into Iraq and it might not succeed.

But for the rest of Iraqis I feel there is a strong national identity. In fact, there is a built-in interest and deeply rooted identities in Iraq. If you were to ask any community in Iraq, they will proudly tell you of their 1,000-year-plus history. In Iraq no one ever says that certain

Iraqis are more Iraqi than others. So to me that is the ultimate test that those people are so rooted in the country. And in every city in Iraq, without exception, you would see layers and layers of history and fingerprints of these different communities. So there is a lot of shared history, shared interest, shared institutions and shared destiny, and it will take good political management to bring all of this rich history and culture to the surface.

The Federalism Path

I raq faces multiple challenges in building a new nation and a future of hope. Some are unique to Iraq; others represent problems that any emerging democracy must address. One classic issue that every democracy must confront is the balance of power between central government and local governments. This allocation of political authority falls under the broad concept termed federalism.

DEFINING FEDERALISM

Federalism is a widely used, and widely misunderstood, term. In simplest terms, federalism is a system in which power is divided between national and local units of government that operate under independent legal or constitutional authority. By contrast, unitary governments hold power within a central body, typically a national legislature or parliament, even though, in practice, they may grant substantial legal and governing



Baghdad teenagers, some too young to vote, seem interested in campaign literature that is being handed out on the city streets. authority to local officials.

Federalism is as varied as the more than 20 federal republics that exist in the world today. Among them: Brazil, Canada, Mexico, and the United States in the Americas; Spain, Switzerland, Germany, and Austria in Europe; Australia, India, and Malaysia in Asia; Nigeria and Tanzania in Africa; and the United Arab Emirates in the Middle East.

Democracies can be either unitary or federal, although the distinction between the two types of government is not always clear in practice. A centralized or unitary government, such as France or the United Kingdom, may grant substantial powers to local authorities; these delegated powers, however, are just that: grants of power that can be withdrawn at the will of a majority of the national legislature or parliament. (The United Kingdom, in fact, is now engaged in a broad, "federalist" devolution of power, notably the creation of regional parliaments in Scotland and Wales.)

In the Ottoman era, Iraq was divided into the three provinces of Mosul, Baghdad, and Basra, which corresponded roughly to the geographic, religious, and ethnic divisions of the time. But these divisions were established by decrees of the central government, and had no independent legal authority.

In a federal system, by comparison, the powers and responsibilities of state or provincial authorities are guaranteed by the constitution or other laws. These local units of government have independent legal standing and cannot be abolished simply by the decision or majority vote of the central government.

FEDERAL REPUBLICS

Historically, the subsidiary states of a federal republic have often existed as independent political entities or even independent nations well before the larger nation came into existence. This is certainly true of the original 13 colonies that made up the United States, as well as the states of the United Arab Emirates, and the provinces of Canada and Australia. The 26 states, or cantons, of Switzerland had long histories of independence before becoming part of the Swiss federation.

In the United States, each of the 50 states has its own constitution and elects its own governor and state legislature. In November 2004, for example, along with a president, 435 members of Congress and one-third of the 100-member U.S. Senate, American voters elected more than 6,000 state legislators plus a number of governors. Estimates are that, counting state and local governments, there are over 176,000 elective offices in the United States.

These state and local officials, elected or appointed, are not representatives of a distant federal government in Washington, but hold independent offices with substantial responsibilities in matters ranging from roads and schools to welfare and law enforcement.

According to Rodger Randall, professor at the University of Oklahoma and a former state senator and mayor: "The U.S. federal system puts real decision-making power in the state and local levels of government — like a cascade of power. We not only elect these posts, but the people are going to have real authority, without a check by the federal government, other than the basic guarantees of freedom contained in the Constitution."

In the Arab world, perhaps the best example of federalism is the United Arab Emirates (U.A.E.). Prior to independence, the U.A.E., known as the Trucial States, comprised sheikhdoms that were under British protection. Although the United Kingdom assumed responsibility for their defense and foreign policy, the emirates were otherwise autonomous and independent. When British forces withdrew from the region in 1971, the emirates formed a Federation of Arab Emirates.

"The U.A.E. would never have been successful without a federal structure that gives each component considerable autonomy in making decisions," says Patrick Clawson, deputy director of the Washington Institute for Near East Policy Studies. "Dubai, for example, is proud of its openness to trade and investment and outside influences that would be unacceptable in some of the other more conservative emirates. In a country with strong tribal traditions, the U.A.E. has kept a careful balance to protect local centers of power, and in turn, accept the larger role of Abu Dhabi in the federal government."

MYTHS AND REALITIES

Whether Iraq opts for a more unitary or a federal system of government will be a decision solely for the Iraqi people, beginning with the deliberations of the 275 members of the Transitional National Assembly elected on January 30. In making this determination, however, Iraqi political leaders will be able to draw upon the experiences of other nations, and indeed to some degree upon their own recent history.

One persistent misconception about

federalism is that it encourages or is merely a code word for separatism. To the contrary, a federalist approach is one that builds institutions of central and local power — some distinct, others overlapping — that protect the rights and identities of different groups and geographic regions within a unified national framework. A federal republic

- Yugoslavia would be an example
- may fail, but that is far different from saying that the practice of federalism caused the Yugoslav nation to fall apart in the first place.

In fact, history demonstrates that nations fragment far more often when central governments attempt to impose unitary or highly centralized authority on diverse populations, whether that diversity is religious, ethnic, geographic, or rooted in differing history and cultural values.

In the May/June 2003 issue of *Foreign Affairs*, Adeed and Karen Dawisha, both professors at Miami University, Ohio,

wrote: "Admittedly, federalism does not always satisfy the aspirations of groups bent on independence, as demonstrated by the conflicts in Northern Ireland, Kosovo, and Chechnya. At the same time, devolution of power has succeeded in stemming the rise of separatism in the other ethnic republics of Russia, in Scotland, and in Montenegro."

Another scholar, Rotimi Suberu of Nigeria's University of Ibadan, cites the example of that country's multi-ethnic federalism as having prevented the recent internal insurgencies experienced



Shopkeeper explains how to fill in voter registration forms to his customers in Baghdad.

by other West African nations. According to Suberu, the Nigerian constitution decentralizes conflicts, "thereby reducing the capacity of such conflicts to polarize or destabilize the entire federation."

Some Nigerian states cut across ethnic and regional identities, Suberu says, but in other cases, ethnic tensions have been defused by creating states dominated by different ethnic minorities

FEDERALISM AND IRAQI IDENTITY

If Iraq faces challenges similar to those of other nations, it also must address its own unique history. The January elections, however difficult to conduct, were a milestone on the path to building these vital institutions of freedom.

But the elections — for an assembly that will choose a president and two vice presidents, and more important, draft a new constitution — are only a first step. "Real politics will take place after the election, in the assembly," predicts Laith Kubba, an official at the U.S. National Endowment for Democracy and president of the Iraq National Group. "New coalitions will form as the election coalitions fall apart."

Phebe Marr, one of the preeminent U.S. scholars on Iraq and author of *The Modern History of Iraq*, agrees that the elections must be seen as only the beginning of the democratic political process. "We're seeing a real political process underway," she says, "even though it is flawed by violence and the inability of substantial portion of the Sunni population to participate. All the parties must see that this is not a zero-sum game in which one side must lose for the other to win. Instead, they must find a way to compromise, to share

power.... There are deep-seated issues, and federalism is now the word."

Experts such as Phebe Marr and Laith Kubba describe an Iraq that faces wrenching changes and multiple demands from ethnic, sectarian, and political groups freed to exercise their new-found political freedoms. Kurds, who established a single national list for the January 30 elections, sought to protect the autonomy and freedoms they have established in the northern enclave established in the aftermath of the 1991 Gulf War. The Shia, long excluded from meaningful political participation, saw the elections as their opportunity to do so. For their part, Sunnis, previously dominant, fear marginalization in the new Iraq. A fear exacerbated by a deadly insurgency of ex-regime elements, terrorists and jihadists, and criminals undoubtedly discouraged many living in Baghdad and central Iraq from voting.

"Ethnicity is not destiny," says Marr, who is conducting studies of identity and values in contemporary Iraq. "Parties can reach out and compromise." Nationalist and ethnic feeling is running strongly, she observes, but many still retain an Iraqi identity.

"I'm a great pragmatist," Marr says. Her advice for the new assembly: "Do what will work. Create a strong but flexible constitution. The greatest mistake would be to freeze the political map under current conditions. Whatever the constitution says now, it must allow for real change in the future."

FEDERALIST OPTIONS

Federalism, like democracy itself, offers no guarantee of success, only the promise of allowing the Iraqi people the opportunity to shape their own future. In undertaking this task, Iraq can look to the support of the international community, but also to elements of its own past. Professors Adeed and Karen Dawisha note that despite Saddam's long repression, a parliamentary system on the British model existed in the Hashemite monarchy in Iraq from 1921 until 1958.

"Debates in parliament were often vigorous and legislators were usually allowed to argue and vote against the government without fear of retribution," they write in a 2003 *Foreign Affairs* article, "How to Build a Democratic Iraq."

Federalism is no substitute for the political commitment of national parties and other groups, whether ethnic or geographic, to negotiate in good faith with a common commitment to a shared future as one nation. But a decentralized federalist structure can encourage parties to reach across such divisions and form coalitions to gain power and influence policy.

With multiple centers of power, a federalist structure can discourage the fear of the tyranny of the majority. Decentralization can limit, if not prevent, religious or other "identity-based" parties from taking complete power by winning control of the central government, albeit in a free election, and threatening the power, identity — even the security — of smaller communities.

Dawn Brancati, visiting scholar at

Princeton University's Center for the Study of Democratic Institutions, has written: "By dividing power between two levels of government — giving groups greater control over their own political, social, and economic affairs while making them feel less exploited as well as more secure — federalism offers the only viable possibility for preventing ethnic conflict and secession as well as establishing a stable democracy in Iraq."

Writing in a spring 2004 Washington Quarterly article, "Can Federalism Stabilize Iraq?" Brancati said: "The fact that religious and ethnic cleavages in

Iraq are indeed crosscutting could help moderate behavior and even help develop political parties across religious and ethnic lines — this is, as long as it is within the proper federal structure."

Paradoxically, the greater the powers extended to the regional government, including independent sources of financing, the better the chances for enhancing local security and confidence — and thereby winning greater support

for the larger federal union. Sharing revenue, allowing localities to raise revenues locally — or some combination of the two — must be part of any meaningful federal system.

"Revenue-sharing arrangements are critical because power follows resources: when the central government denies regions the right to raise and spend money, it is tantamount to denying them authority," say Adeed and Karen Dawisha.

THE CHALLENGE

In an address to the U.S. Institute of



Peace in August 2004, Condoleezza Rice, then national security advisor and now the secretary of state in the Bush Administration, said:

"Iraq will need to remain a united country. I'm quite certain that there will be elements of federalism that we here

in the United States would recognize. But what has been impressive to me so far is that Iraqis — whether Kurds or Shia or Sunni or the many other ethnic groups in Iraq — have demonstrated that they really want to live as one in a unified Iraq."

Federalism can open one path toward a new nation that preserves national unity while recognizing and honoring diversity and local autonomy. It can serve one of several institutions of freedom helping forge an Iraqi national identity that does not replace Shia, Sunni, Kurdish, or other religious or ethnic identities — but transcends them.

IRAQ, Elections, and the Role of Women

PROTEST

In December 2003, the Iraqi Governing Council, with almost no debate, quietly passed Resolution 137, which would have transferred key provisions of personal and family law from civil authority to the traditional religious law, or Sharia. Iraqi women's groups mobilized in public protests and private negotiations, calling for repeal of the resolution, which they regarded as a threat to women's rights in such areas as marriage, divorce, and inheritance. They succeeded, and the resolution was subsequently repealed.

"This resolution was a blessing in disguise," said Nesreen Berwari, minister of municipalities and public works, in March 2004. "Its passage motivated Iraqi women to organize and demonstrate, and successfully represent themselves.... The retraction brought Iraqi women together for a common cause. Cooperation and organization crossed religious and ethnic lines — Shia, Sunni, Christian, Arab, Kurd, Assyrian, Turkoman."

PROGRESS

The remarkable progress that Iraqi women have made in less than two years can be measured by recalling their circumstances under Saddam Hussein. "Iraqi women were once among the best educated and most professionally accomplished in the region," said Charlotte Ponticelli, State Department coordinator for international women's issues. "That is why it was shocking to hear from U.N. experts that, by the end of Saddam's rule, more than two-thirds of all Iraqi women were actually illiterate, and each year at least 400 of them were murdered in so-called 'honor killings' he had legalized."

As documented in human rights reports and direct testimony, thousands of women were subject to imprisonment, torture, rape, and execution by Saddam because either they or their family members spoke out against the regime or were suspected of disloyalty.

A cabinet member in the Iraqi Interim Government, Berwari is one of thousands of women who embody the progress that Iraqi women have made since the overthrow of Saddam Hussein in April 2003, while recognizing the formidable challenges ahead, for women and all the people of Iraq.

"We are a country of educated,

skilled, and hardworking people. We are a country of scientists, engineers, and technicians. Half are women," says Berwari, whose ministry has broad responsibility for water, waste management, urban planning, municipal roads, and traffic controls.

Another government minister, Narmin Othman, who oversees women's affairs, once spent time in Saddam Hussein's prisons. Othman, who served as minister of social welfare in the Kurdish north, says: "Now women have a voice.... We have a voice and we have people in political decisions. They can decide what's good and what's bad for women."

Minister Othman continued: "We cannot build democracy without women, and must be involved in every part of Iraq." Since the ouster of the Hussein regime, she observed, more than 500 nongovernmental organizations (NGOs) have emerged in Iraq that work for women as well as in such fields as civil society education for democracy, violence against women, business, and health care.

Their advancement is already significant. Along with six cabinet members, women hold a quarter of the seats on the Iraqi National Council. Women are also serving side by side with men in the national police force and Iraqi military. Women hold seats on the Baghdad City Council; many more serve on district, local, and municipal councils throughout Iraq.

Through the efforts of the United States and its coalition partners, more than 2,400 schools have been renovated and 30,000 teachers trained. One result: two million girls are now back in school.

Transitions

Despite the threat of insurgent violence, women's organizations were active throughout Iraq in the election campaign to select the members of a Transitional National Assembly that will appoint a Presidential Council and draft a constitution for the new, democratic Iraq.

One of the first steps in opening up the political process in Iraq to women occurred in November 2003 when the Coalition Provisional Authority and the Iraqi Governing Council agreed to adopt a fundamental law that would lead to a speech, worship, and association. The TAL protects labor unions and political parties, bans discrimination based on gender, ethnicity, class, or religion.

Equally important, the TAL states that the electoral system should set a target of at least 25 percent women in the Transitional National Assembly that were selected in the January 30 elections.

The women of Iraq have found widespread support for claiming their rights and freedoms from nations and private organizations throughout the world, including the United States. In a message to the Voices of Iraqi Women



permanent constitution ensuring equal rights for all Iraqi citizens. The debate over Resolution 137 and its subsequent withdrawal took place a month later. Finally, on March 8, 2004, the Iraqi Governing Council signed the historic Transitional Administrative Law (TAL), which guarantees the rights of all Iraqis, men and women, including freedom of

Conference in Baghdad, July 2003, President Bush said: "The women of Iraq's courage and resolve are hopeful examples to all who seek to restore Iraq's place among the world's greatest civilizations. Their efforts inspire individuals throughout the Middle East who seek a future based on equality, respect, and rule of law."

Democracy Initiatives

In 2004, the United States launched two major initiatives to support women's participation in the building of Iraqi democracy and civil society. The Iraqi Women's Democracy Initiative, a \$10-million program first announced in March, is designed to help women in such areas as leadership and management training, entrepreneurship and management, support for nongovernmental organizations (NGOs), and media training.

Each of the organizations receiving grants under the Democracy Initiative, then-Secretary of State Colin Powell said, "will work with Iraqi partners on the ground to prepare women to compete in Iraq's January 2005 elections and encourage women to vote.... These grants will directly help Iraqi women deepen their involvement in Iraq's reconstruction, and mobilize women across the land to build a secure, prosperous, and democratic Iraq."

The second initiative established a voluntary, public-private partnership, called the U.S.-Iraq Women's Network (USIWN), to connect American and Iraqi women's networks and to match private-sector resources with local needs, and to help administer the Women's Democracy Initiative.

"The U.S.-Iraq Women's Network is modeled after the pioneering work of the U.S.-Afghan Women's Council," then-Secretary Secretary Powell said. "Thanks to that council, women's centers are being created in cities and rural areas throughout Afghanistan to provide job training and other economic

opportunities."

The grant recipients for Iraq have undertaken a wide range of programs inside and outside the country, according to Paula Dobriansky, under secretary of state for global affairs. The Johns Hopkins School of Strategic and International Studies, for example, is working with Iraqi NGOs to collect and translate national constitutions, international covenants, and other conventions on women's rights into Arabic to serve as resource tools in an Iraqi women's rights center they will build.

The Kurdish Human Rights Watch organized women's and other groups to help engage as many as 6,000 households in the election process.

Michelle Bernard, a senior fellow at the Independent Women's Forum, said that the grant money is being used to recruit 150 Iraqi women to participate in a Woman Leaders Program and Democracy Information Center. "We'd like to train women on the fundamentals of democracy, women's political activism in a democracy ... basically to enable Iraqi women to help Iraq develop a democracy that best suits the needs of that country."

These are not just women who might be interested in holding political office, Bernard says. "We're just looking for people who want to participate at the community level, people who are interested in education, people who might want to be policy makers in the equivalent of a think tank here."

The National Democratic Institute is working with political parties and civic organizations by helping establish a women's political network and providing workshops to assist with such areas as public speaking and training in the legislative process.

For its part, the International Republican Institute (IRI) has assisted

the Iraqi Foundation for Development and Democracy, headed by political figure and editor Ghassan Atiyyah. The foundation has conducted a number of seminars and conferences, including the convening in May 2004 of the Supreme Council of Iraqi Tribes, a gathering of 500 of the most influential sheikhs in Iraq. At the meeting, according to IRI, these tribal leaders pledged to uphold the principles of democracy and national unity, and to support the Interim Iraqi Government.

IRI has also conducted political party training for groups representing a range of views and interests in Iraq; among them: Patriotic Union of Kurdistan, Supreme Council for Islamic Revolution in Iraq, Da'wa Party, and other civic and political organizations.

In a nationwide public opinion survey conducted in November and early December 2004, IRI concluded that, despite the insurgency, 83 percent of Iraqis surveyed indicated that they planned to vote in the January elections, 66 percent expected life to be better one year later, and 60 percent expressed confidence that the Transitional National Assembly elected in January would represent their interests. Virtually half of those surveyed (49 percent) were women.

Women's Places

Iraqi women are also taking their rightful place in international activities and exchanges as well. Iraqi delegations, for example, attended the United Nations 48th Annual Commission on the Status of Women Conference, the Global Summit of Women in Seoul, and a number of conferences and

consultations under the auspices of the U.S. Middle East Partnership Initiative.

Six women were among the 25 Iraqi Fulbright students and scholars when the program was renewed after being suspended for 14 years. "You are the future for an open, democratic, prosperous Iraq. The hopes of your countrymen and women are with you," then Secretary Powell told them when they arrived in the U.S. in February 2004.

The establishment of women's centers throughout Iraq is another source of their empowerment. The U.S. has

supported the creation of nine women's centers in Baghdad and 11 regional centers throughout Iraq. The centers offer computer, financial, and literacy classes, along with access to information on health care, legal services, and women's rights.

As Minister Berwari observed on International Women's Day, March 8, 2004: "I firmly believe that Iraq cannot advance itself — that advancement would be severely restricted — unless Iraqi women contribute substantially to reconstruction. Iraqi women are ready, willing, and very able to do their part."

FREEDOM

In his second inaugural address on January 20, 2005, President Bush said: "Freedom, by its nature, must be chosen, and defended by citizens, and sustained by the rule of law and the protection of minorities. And when the soul of a nation finally speaks, the institutions that arise may reflect customs and traditions very different from our own. America will not impose its own style of government on the willing. Our goal instead is to help others find their own voice, attain their own freedom, and make their own way." \square



Iraq Election Web Links

- 1. Independent Electoral Commission of Iraq: http://www.ieciraq.org/English/Frameset_english.htm
- 2. Iraq Out-of-Country Voting Program: http://www.iraqocv.org/php/index.php?lang=eng
- 3. Administration and Cost of Elections (ACE) Project: http://www.aceproject.org/

- 4. Iraqi Election Information Network: http://www.iraqiein.org/english/
- 5. The Embassy of the Republic of Iraq: http://iraqiembassy.org



Young Iraqi men look over the campaign posters on display on a Baghdad city wall..

U.S. DEPARTMENT OF STATE

BUREAU OF INTERNATIONAL INFORMATION PROGRAMS

http://usinfo.state.gov/products/pubs/iraqelect/index.htm

